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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,764	11/10/2003	Matt Clark	109927-135178	4384

25943 7590 11/03/2006

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EXAMINER

HUYNH, CHUCK

ART UNIT PAPER NUMBER

2617

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/705,764	<b>Applicant(s)</b> CLARK ET AL.	
	<b>Examiner</b> Chuck Huynh	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 19-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/16/2006 has been entered.

### ***Response to Arguments***

1. Applicant's arguments with respect to all the claims have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1, 21 and 24, wherein the added language pertains to "...defining a first and second user interface displayable to a client device...the first and second user interfaces including first and second indicia (icons), the indicia also displayable to the client device..." The added limitation is interpreted to mean that the

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framework provider has displayable indicia from vendors/service providers to provide and display on client device.

Weisshaar discloses a plurality of services that are available/visible to the client (Fig. 6; Col 9-12) and a display (no. 131). It is obvious to one ordinarily skilled in the art to understand that the services are visible on the client device in form of indications (i.e. icons, service links). However, since Weisshaar does not distinctly disclose the available services displayed by indicia, Examiner has applied Schwartz to specifically disclose the limitation. In figures 7A- 7D, the services are indicated and each service is directed to a particular vendor/service provider depending on the service (vendors Fig. 8B) (Col 13-14).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-6, and 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weisshaar et al. (US 6580916; hereinafter Weisshaar) in view of Schwartz et al. (US 6473609; hereinafter Schwartz).**

Regarding claim 1, Weisshaar discloses a method comprising:

defining by a service framework provider, a plurality of features of a service to be performed by one or more vendors (servers/service providers) separate and distinct from the service delivery framework provider and from each other, each feature having one or more concepts (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48);

receiving by the service delivery framework provider, from a client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing by the service delivery framework provided, the received request for the service to the first vendor (Col 20, lines 20-44);

receiving by the service delivery framework provider, a solution to the request for the service from the service vendor (Col 20, lines 40-44);

even though Weisshaar discloses all the limitations including the various services at the service delivery framework provider's end (Fig. 6; Col 12, line 45 – Col 13, line 35), Weisshaar does not clearly disclose the accepting by the service framework provider (services being connected to the service framework provider), a first and second user interface definition defining a first and a second user interface displayable to a client device from a first and a second vendor equipped and available to provide the service, the first and second user interfaces including first and second indicia, the

indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively; and

returning by the service delivery framework provider, the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor.

However, Schwartz does disclose

accepting by the service framework provider (services being connected to the service framework provider), a first and second user interface definition defining a first and a second user interface displayable to a client device from a first and a second vendor equipped and available to provide the service, the first and second user interfaces including first and second indicia, the indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Figs 7A-7D, the services are indicated and each service is directed to a particular vendor/service provider depending on the service (vendors Fig. 8B) (Col 13-14)); and

returning by the service delivery framework provider, the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor (each service is indicated Figs. 7A-7G, and the solution service is provided when a service is selected from a vendor).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Schwartz's disclosure to display the services to user/client to select from or request.

Regarding claim 2, Weisshaar discloses the method of claim 1, wherein at least first user interface definition further identifies one or more icons, buttons, or menus (Col 8, lines 3-7).

Regarding claim 3, Weisshaar discloses the method of claim 1, where said defining of the features comprises identifying resources of the features (identifying available services Col 13, lines 1- 62).

Regarding claim 4, Weisshaar discloses the method of claim 3, wherein said identifying of resources comprises identifying one or more images, HTML pages, or style sheets (Col 4, lines 44-46; Col 10, lines 45-47).

Regarding claim 5, Weisshaar discloses the method of claim 3, wherein said identifying of resources comprises identifying data items of databases (software/program within memory for updating after receiving service) on a service requesting client device, to be updated (Fig. 5; Col 7, lines 16-31; Col 8, lines 26-28, 33-35, 57-60).

Regarding claim 6, Weisshaar discloses Internet capability and protocols (Col 4, lines 44-46), and all the particulars of the claim except for the method of claim 1, wherein said associating of the plurality of features with at least the displayable first user interface comprises jointly expressing the at least first displayable the user interface and the features in terms of XML statements.

However, Schwartz does disclose wherein said associating of the plurality of features with the user interface comprises jointly expressing the user interface and the features in terms of XML statements (Col 8, line 67; Col 10, line 13).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Schwartz's disclosure to provide displaying capability to user/client's.

Regarding claim 19, it would be inherent that a user can make multiple request for different services at another time. Therefore, Weisshaar does disclose the method of claim 1, wherein the method further comprises:

receiving by the service delivery framework provider, from another client device, another request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing by the service delivery framework provider, the received another request for the service to the second vendor (Col 20, lines 20-44);



receiving another solution to the request for the service from the second service vendor (Col 20, lines 40-44);

returning the solution to the service request from the second service vendor to the client device, employing the displayable second user interface having the second displayable indicia identifying the solution as being provided by the second vendor (Col 20, lines 40-44; Fig. 8, Col 20, line 55 – Col 21, line 15).

Claims 22 and 25 are similarly rejected as claim 19.

Regarding claim 20, Weisshaar discloses the method of claim 1, wherein the indicia are textual or graphical, or both (Col 4, lines 54-67; Fig. 1, no. 131).

Claims 23 and 26 are similarly rejected as claim 20.

Regarding claim 21, Weisshaar discloses an apparatus (a local node) comprising:

storage medium (Col 5, lines 45-57) having stored therein a plurality of feature of a service and a plurality of programming instructions, the features being defined by a service delivery framework provider and to have one or more concepts, the service to be provided by one or more vendors separate and distinct from the service delivery framework provider and from each other, and the programming instructions desired to

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enable the apparatus to operate as a service delivery framework (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48), including:

receiving from the client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service (user request service/information Col 2, lines 48-49);

routing the received request for the service to the first vendor (Col 20, lines 20-44),

receiving a solution to the request for the service from the first service vendor (Col 20, lines 40-44), and

at least one processor coupled to the storage medium to execute the programming instructions (Col 5, lines 45-57).

even though Weisshaar discloses all the limitations including the various services at the service delivery framework provider's end (Fig. 6; Col 12, line 45 – Col 13, line 35), Weisshaar does not clearly disclose the accepting a first and second user interface definition defining a first and a second user interface displayable to a client device from a first and a second vendor equipped and available to provide the service, the displayable first and second user interfaces including first and second indicia, the indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively; and

returning the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor.

However, Schwartz does disclose

accepting a first and second user interface definition defining a first and a second user interface displayable to a client device from a first and a second vendor equipped and available to provide the service, the displayable first and second user interfaces including first and second indicia, the indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Figs 7A-7D, the services are indicated and each service is directed to a particular vendor/service provider depending on the service (vendors Fig. 8B) (Col 13-14)); and

returning the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor (each service is indicated Figs. 7A-7G, and the solution service is provided when a service is selected from a vendor).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Schwartz's disclosure to display the services to user/client to select from or request.

Regarding claim 24, Weisshaar discloses an article of manufacture comprising:  
storage medium (Col 5, lines 45-57); and

a plurality of programming instructions desired to program an apparatus enable the apparatus to operate as a service delivery framework for a service delivery framework provider (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48), including enabling the apparatus to:

accept from the service delivery framework provider, a plurality of features of a service, each feature having one or more concepts (Col 3, lines 33-45, line 62 – Col 4, line 10; Col 11, lines 20-29; Col 8, lines 44-48),

receive from the client device, a request for the service expressed in terms of selected one(s) of the one or more concepts of selected one(s) of the one or more features of the service,

route the received request for the service to the first vendor (Col 20, lines 20-44),  
receive a solution to the request for the service from the first service vendor (Col 20, lines 40-44).

even though Weisshaar discloses all the limitations including the various services at the service delivery framework provider's end (Fig. 6; Col 12, line 45 – Col 13, line 35), Weisshaar does not clearly disclose the limitation to accept from a first and second user interface definition defining a first and a second user interface displayable to a client device, the first and a second vendors being separate and distinct from the service delivery framework provider and from each other and the displayable first and

second user interfaces including first and second indicia, the indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively; and

return the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor.

However, Schwartz does disclose the limitation to accept from a first and second user interface definition defining a first and a second user interface displayable to a client device, the first and a second vendors being separate and distinct from the service delivery framework provider and from each other and the displayable first and second user interfaces including first and second indicia, the indicia also displayable to the client device, correspondingly identifying a solution provided in response to a request for the service as being provided by the first or the second vendor, respectively (Figs 7A-7D, the services are indicated and each service is directed to a particular vendor/service provider depending on the service (vendors Fig. 8B) (Col 13-14)); and

to return the solution to the service request to the client device, employing the displayable first user interface having the displayable first indicia identifying the solution as being provided by the first vendor (each service is indicated Figs. 7A-7G, and the solution service is provided when a service is selected from a vendor).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Schwartz's disclosure to display the services to user/client to select from or request.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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